

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE**

<b>IN THE MATTER OF INTEGRATED RESOURCE )</b>	
<b>PLANNING FOR THE PROVISION OF )</b>	
<b>STANDARD OFFER SUPPLY SERVICE BY )</b>	
<b>DELMARVA POWER &amp; LIGHT COMPANY )</b>	
<b>UNDER 26 <u>DEL. C. § 1007(c) &amp; (d): REVIEW )</u></b>	<b>PSC DOCKET NO. 06-241</b>
<b>AND APPROVAL OF THE REQUEST FOR )</b>	
<b>PROPOSALS FOR THE CONSTRUCTION OF )</b>	
<b>NEW GENERATION RESOURCES UNDER 26 )</b>	
<b><u>DEL. C. § 1007(d) (OPENED JULY 25, 2006) )</u></b>	

**DELMARVA POWER & LIGHT COMPANY'S  
RESPONSE IN OPPOSITION TO THE MOTION OF  
BLUEWATER WIND, LLC TO ESTABLISH A FORMAL PROCESS  
TO COMMENT ON AND QUESTION EVALUATION REPORTS**

On behalf of Delmarva Power & Light Company ("Delmarva Power" or the "Company") enclosed are the Company's comments filed in response to Bluewater Wind, LLC's ("BWW") motion requesting the Delaware Public Service Commission ("Commission") establish a formal process for bidders to question the evaluation reports submitted by the Commission's Independent Consultant ("IC") and Delmarva Power's consultant. BWW filed its original request on February 26, 2007. By letter dated March 14, 2007, BWW then modified its proposal and now seeks to compel the IC and Delmarva Power to answer questions related to the RFP evaluation process. For the reasons set forth below, Delmarva Power opposes the BWW motion.

First, the Commission established the Request for Proposal ("RFP") process, as dictated by the expedited schedule and pursuant to the Electric Utility Retail Customer Act of 2006, in a series of orders starting in October 2006. BWW failed to identify,

challenge or properly appeal the process and procedure as established in any of those orders and is thus collaterally estopped from now challenging said Commission orders.

Second, the Energy Office and Commission have adopted the independent consultant process to ensure that the bid evaluation process is fair and reasonable. The IC has diligently carried out the Energy Office's and Commission's mandate.

Finally, Delmarva Power is not aware of any RFP process, including the ongoing Standard Offer Service ("SOS") RFP, wherein a bidder has been permitted to question and challenge bid results prior to the decision-making body issuing a final determination and selection. In this proceeding, the decision-making body consists of the Commission and the State Agencies. Delmarva Power does not oppose a debriefing of bidders, with questions limited to said bidder's submission and evaluation, after the RFP and related process has been concluded.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony C. Wilson', is written over the typed name.

Anthony C. Wilson  
Associate General Counsel  
On behalf of Delmarva Power

cc: Docket No. 06-241 Service List